



UNITED STATES
PATENT AND
TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
WWW.USPTO.GOV

DEC - 6 2001

GENENTECH INC
1 DNA WAY
SOUTH SAN FRANCISCO CA 94080-4990

In re Application of :
James Lee et al. :
Serial No.: 09/104,063 : WITHDRAWAL OF ABANDONMENT
Filed: June 24, 1998 :
Attorney Docket No.: P0706P2C2D2 :

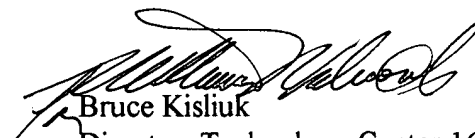
This is in response to applicants' petition under 37 CFR 1.181, filed August 29, 2001, requesting revival of the above-identified application based on a timely response to an Office action. The delay in acting on this petition is regretted.

A review of the file history indicates the examiner mailed A Final Office action to applicants on December 22, 2000, setting a three month shortened statutory period for reply. Upon failure to receive a reply, the application was held abandoned by Notice of Abandonment mailed August 2, 2001. Applicants state that a Notice of Appeal including the fee for a one month extension of time was filed on April 23, 2001, and provides a copy thereof. Applicants further provide an Office date stamped postcard indicating receipt thereof. For unknown reasons the Notice was never correlated with the file. Based on the statements and evidence provided, it is concluded that the response was timely received. In view thereof, the Notice of Abandonment is withdrawn and the application is restored to a pending status with the mailing of this decision.

Applicant's petition is GRANTED.

The application will be forwarded for processing of the CPA request filed September 24, 2001, and then forwarded to the examiner for further consideration..

Should there be any questions with respect to this decision, please contact William R. Dixon, Jr., by mail addressed to Director, Technology Center 1600, Washington, D.C. 20231, or by telephone at (703) 308-3824 or by facsimile transmission at (703) 305-7230.


Bruce Kisliuk
Director, Technology Center 1600